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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )

)  
Amendment of Part 90 of the )  
Commission's Rules to Adopt )  
Regulations for Automatic )  
Vehicle Monitoring Systems )

PR Docket No. 93-61  
RM 8013

TO: The Commission

MOTION FOR EXTENSION OF TIME

Pursuant to 47 C.F.R. Section 1.46, the New Jersey Highway Authority, the New Jersey Turnpike Authority, the New York State Thruway Authority, the Pennsylvania Turnpike Commission, the Port Authority of New York and New Jersey, the South Jersey Transportation Authority, and the Triborough Bridge and Tunnel Authority (jointly filing as "the Interagency Group"), by their attorneys, hereby request an extension of time in which to file Reply Comments in the above-captioned matter.

This is a significant proceeding which is certain to have a substantial impact on State and local government transportation system planning, as well as on a variety of entrepreneurial and other private interests. Because of the rulemaking's importance, its technical complexity, and the volume of Comments disputing the appropriate rules the Commission should adopt, the Commission must ensure adequate time for meaningful participation by all interested parties.

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Specifically, the Interagency Group hereby requests that the Commission extend the Reply Comment Date with respect to the Notice of Proposed Rulemaking ("NPRM") in the above-captioned matter by an additional thirty (30) days, from July 14, 1993 to August 13, 1993. In support of this motion, the Interagency Group submits the following:

1. In its NPRM, the Commission requested comments regarding a number of complex and highly technical issues regarding frequency allocation options and licensing of "automatic vehicle monitoring" ("AVM") systems. In addition to seeking comment regarding its own proposed rules for licensing such systems, the Commission expressly requested comment "proposing alternative licensing schemes." See NPRM at paragraphs 16 and 17.

2. It is the understanding of the Interagency Group that, by the close of business on June 29, 1993 (i.e., the closing date for submission of Comments in response to the NPRM), the Commission had received 35 separate Comments totaling some 600 pages.

3. The NPRM specified that Reply Comments must be submitted to the Commission on or before July 14, 1993, which is just fifteen (15) days after the June 29, 1993 closing date for the submission of Comments in response to the NPRM. Because five (5) of these days are "holidays" as defined in 47 C.F.R. Section 1.4(e)(1),<sup>1</sup> there

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<sup>1</sup> The "holidays" are Saturday and Sunday, July 3 and 4; Monday, July 5 (i.e., the celebration date for Independence Day); and Saturday and Sunday, July 10 and 11. As a practical matter, Friday, July 2, may also be considered a day lost to the holiday weekend, since many individuals will use early leave or vacation time to extend the long weekend.

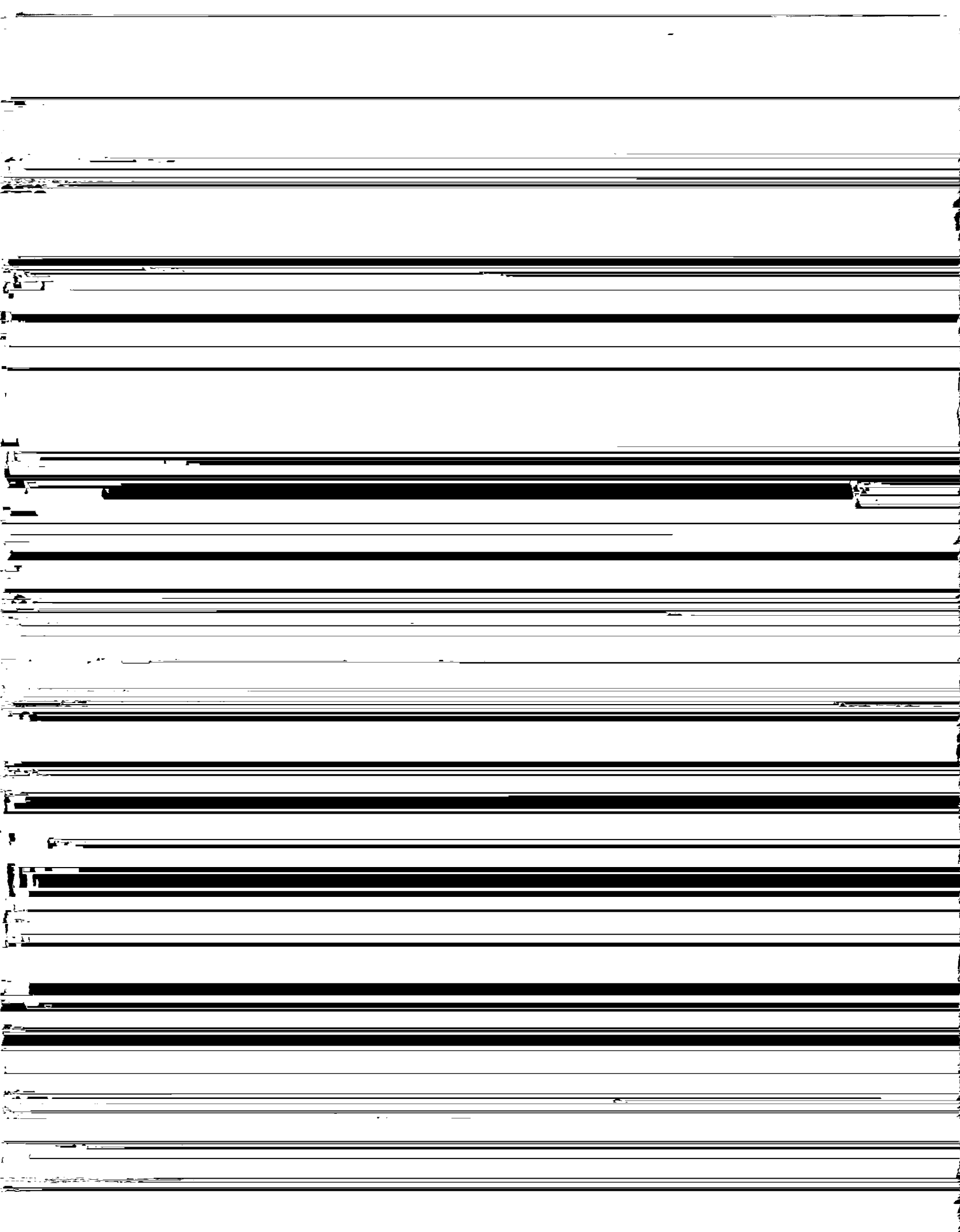
will not be adequate time for the consultations which the members of the Interagency Group need to conduct in order to submit Reply Comments before the end of the closing date.

4. The seven transportation agencies listed above have been participating jointly in this proceeding, as the Interagency Group, because the completed rulemaking will have a direct and important impact on their joint undertaking to implement the "E-ZPass Plan," an interoperable electronic toll collection system, within their region. Members of the Interagency Group, jointly and severally, need to examine each of the comments and alternative proposals that have been submitted to the Commission in order to assess whether they are relevant to the E-ZPass Plan and warrant a response in Reply Comments. The July 14, 1993 closing date for Reply Comments simply does not provide a reasonable and sufficient time period to allow the Interagency Group to engage in this process.

5. As with their three previous filings in this proceeding,<sup>2</sup> the Interagency Group will require a reasonable amount of time for the consultations -- among its seven members, within each member's separate organization, and with legal counsel -- necessary to consider, discuss and, if appropriate, formulate Reply Comments to Comments that have been filed in response to the NPRM. Although

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<sup>2</sup> The Interagency Group submitted a "Statement" (October 6, 1992) in response to the Petition for Rulemaking filed by North American Teletrac; an "Opposition" (June 22, 1993) in response to North American Teletrac's "Application for Freeze;" and "Comments" (June 29, 1993) in response to the NPRM.



Counsel to the Interagency Group (the New Jersey Highway Authority, the New Jersey Turnpike Authority, the New York State Thruway Authority, the Pennsylvania Turnpike Commission, the Port Authority of New York and New Jersey, the South Jersey Transportation Authority, and the Triborough Bridge and Tunnel Authority)

July 2, 1993

CERTIFICATE OF SERVICE

I, Sandra Sachs, a secretary with the law firm of Cohn and Marks, do hereby certify that a copy of the foregoing "Motion for Extension of Time" was hand-delivered (\*) or mailed first class, postage prepaid, this 2nd day of July, 1993, to the following:

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